

State Personnel System



State Employee Tuition Waiver Program Frequently Asked Questions

Division of Human Resource Management

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FREQUENTLY ASKED QUESTIONS (FAQS) FOR HR PRACTITIONERS

State Employee Tuition Waiver Program (Section 1009.265, Florida Statutes)

1. What is the State Employee Tuition Waiver Program?

This program, (also known as the State of Florida Employee Educational Assistance Program), allows each state university and Florida College System institution to waive tuition and fees for state employees to enroll in up to six (6) credit hours of courses per term. However, participation is subject to space-availability. This means that state employees who intend to use fee waivers must wait until the college or university has determined if the course(s) in question has met their minimum requirement of fee-paying students. Therefore, state employees should not assume that they will be able to register in their selected course(s) until this determination is made (usually at the end of the registration and drop/add period, which may overlap with the first week of classes). Also, certain college credit courses operate strictly on a cost recovery basis and cannot accept fee waivers. Each university and Florida College System institution is responsible for advising state employees of those particular courses for which they do not permit the use of the waiver.

2. What Law Authorizes the State Employee Tuition Waiver Program?

Section 1009.265, Florida Statutes (F.S.), State Employee Fee Waivers, and the annual General Appropriations Act (GAA) both provide authority for this program.

3. Who Administers the State Employee Tuition Waiver Program?

Each school administers the program by setting the procedures and deadlines that employees must follow. The Department of Financial Services (DFS) supports the online verification process that schools and employees can use to confirm eligibility. DFS also maintains the plan document that establishes the tax favored status of the program (“State of Florida Employee Educational Assistance Program”). The Department of Management Services, Division of Human Resource Management, provides general guidance to agencies of the State Personnel System on personnel related issues.

4. Who is an Eligible Participant?

Pursuant to the GAA, a full-time employee of the State (Executive, Legislative, and Judicial Branches) is eligible, provided the employee is paid from regular salary appropriations (not Other Personal Services or otherwise “temporary” or casual labor). Full-time status equates to 1.0 full time equivalency (FTE). However, if the employee holds more than one part-time established position, the employee is eligible if the total FTE equals 1.0 or more. A person who resigns, terminates, or otherwise loses eligibility during an academic term will remain eligible for the remainder of such academic term. Employees of state universities, as provided in section 1009.265(5), F.S., are excluded from participation in this program.

5. Who approves my participation in the State Employee Tuition Waiver Program?

Pursuant to section 1009.265(1), F.S., the head of each executive branch agency and the equivalent executive level administrative functionary within the legislative and judicial branches, must approve participation of eligible employees within their respective agency. This may be delegated to the employee's supervisor or an agency coordinator.

6. How do I enroll?

It is important that employees follow all instructions from the school with regard to the enrollment process. Employees are responsible for meeting all the academic and admission requirements of the state university or Florida College System institution at which they want to enroll. In addition, they must complete any enrollment or authorization forms that the school requires. Registration forms specific to employees using the State Employee Tuition Waiver and agency authorization must be re-submitted for every academic term.

Be sure to register only during the special registration period that the particular university or college has set aside for state employees. Attempts to register at any other time will cause the employee to forfeit their opportunity to use the waiver for that academic term. Also, be sure the courses you have selected are eligible for the waiver. When in doubt, contact the school for complete instructions regarding policies and procedures, including any forms that the agency must sign.

7. Does the course have to be job-related to use the waiver?

No, courses need not be job-related. Generally speaking, participants should only attend courses on their own time, unless the agency has determined that the course or courses in question is required education or training. Supervisors are not obligated to grant time off, with or without pay, nor to accommodate participation during work hours. Each employee needs to be aware of their respective agency's policies in these matters.

Furthermore, courses involving sports, games or hobbies are not available for tax-free treatment under this program, unless such a course is required as part of a degree program.

8. For what type of courses and schools is the use of the State Employee Tuition Waiver valid?

Waivers may cover undergraduate or graduate courses in accordance with the policies of the institution where the courses are taken. Courses may be taken at any STATE university or Florida College System institution.

Also visit the Florida Board of Governor's website for the list of state funded universities at: <http://www.flbog.edu/universities/>

Please visit the Department of Education's official website for the list of state funded Florida College System Institutions at: <http://www.fldoe.org/schools/higher-ed/fl-college-system/>

9. Are there any other State Employee Tuition Waiver Program Restrictions/Limitations?

The maximum educational assistance available to any eligible employee under the program is expressly limited to six (6) credit hours per term (18 credit hours per plan year). For purposes of this section, the plan year is calculated on a calendar year basis, i.e., January 1 – December 31.

No assistance is available under this program for the cost of application, books, supplies, equipment or any other type of educational materials or local institutional fees associated with credit hours taken under the program. It is important for participating employees to contact the institution directly to verify if there are any special fees that are not covered by the waiver and which the employee will need to pay in order to participate.

10. What Else Should I Know About This Benefit?

Pursuant to 26 U.S.C. Section 127, the State of Florida provides tax free educational assistance to its employees under this qualified educational assistance plan. No more than \$5,250 in educational assistance provided per plan year under the program qualifies for tax-free treatment. Any educational assistance provided to a participant under the program which is valued in excess of \$5,250 will be reported by the employer to the Internal Revenue Service as income received by the participant. For this reason, all participating employees must report the value of the course(s) taken to their employer. Instructions for record keeping and reporting education assistance provided to a participant which is valued in excess of \$5,250, are contained in the Bureau of State Payroll Preparation Manual, Volume VI, Section 3, Part F. See https://www.myfloridacfo.com/Division/AA/Manuals/documents/BOSP_MANUAL2.pdf

For a copy of the tax qualified plan document, see https://www.myfloridacfo.com/Division/AA/Employees/ed_assist_prog.pdf

Note: In accordance with 26 U.S.C. Section 127, the value of the tuition waiver may be excludable from the employee's income when the waiver is used for job-related education. Refer to the Bureau of State Payroll Preparation Manual for more details on what constitutes a job-related course.

When completing paperwork, the employee should ensure that the name they provide matches the name they have used on the tax withholding certificate (W-4) that they have on file with the State Payroll System. The school will use this name to independently verify that the employee works full-time in a regular position. Employees may check on their own status by using the Department of Financial Services online verification tool (the employee version) located at <https://apps.fldfs.com/EIC/EmployeeInfoCenter/>.

Contact your agency Human Resource Office for additional information regarding the Tuition Waiver Program.